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AUG 14 2015

SC Court of Appeals

**THE STATE OF SOUTH CAROLINA
In the Court of Appeals**

**APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas
R. Markley Dennis
Circuit Court Judge**

Appellate Case No. 2015-001461

**Wells Fargo Bank, N.A., as Successor by Merger
to Wachovia Bank, National Association, as
Successor by Merger to First Union National Bank..... Respondent,**

v.

**Penny Creek Associates, L.L.C. a/k/a Penny
Creek Associates, LLC; The Grove at Fenwick
Plantation, LLC; Michel F. LaPlante a/k/a Michel
Laplante a/k/a Mitch Laplante; Charlotte R.
Zurlo; Eugene J. Zurlo; Charlotte R. Zurlo and
Eugene J. Zurlo, as Co-Trustees of The Nicklaus
Lane Realty Trust No. 1 under Declaration of
Trust dated May 22, 1998; Fenwick Hall
Plantation Property Owners Ass'n., Inc. a/k/a
Fenwick Hall Plantation Property Owners'
Association, Inc.; Preserve at Fenwick Hall
Property Owners' Association, Inc.; and The
Grove at Fenwick Plantation Condominium
Association, Inc. Defendants,**

**Of Whom Penny Creek Associates, L.L.C. a/k/a
Penny Creek Associates, LLC; The Grove at
Fenwick Plantation, LLC; Charlotte R. Zurlo;
Eugene J. Zurlo; Charlotte R. Zurlo and Eugene
J. Zurlo, as Co-Trustees of The Nicklaus Lane
Realty Trust No. 1 under Declaration of Trust
dated May 22, 1998; Fenwick Hall Plantation
Property Owners Ass'n., Inc. a/k/a Fenwick Hall
Plantation Property Owners' Association, Inc.;
Preserve at Fenwick Hall Property Owners'
Association, Inc.; and The Grove at Fenwick
Plantation Condominium Association, Inc. are the Respondents,**

**Michel F. LaPlante a/k/a Michel Laplante
a/k/a Mitch Laplante.....Appellant,**

v.

**The Eugene J. Zurlo Living Trust, Dated
December 11, 1997 and Paul ZurloRespondents.**

MOTION TO ALLOW LATE FILING

Appellant Michel F. LaPlante a/k/a Michel Laplante a/k/a Mitch Laplante (“Laplante”) moves this Court, pursuant to Rules 240 & 263, SCACR, to allow the late request of the transcript in this matter. The Notice of Appeal for this matter was served on July 2, 2015, and the transcript was requested on July 22, 2015 (ten days late, according to Rule 207, SCACR). Laplante would argue that this delay was minimal and completely harmless: the briefing schedule for this appeal will not be affected by granting this motion, as all deadlines are currently stayed due to Respondent Well Fargo’s Motion to Dismiss. See Rule 240(b), SCACR.

Dated: 08/12/2015



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THE STATE OF SOUTH CAROLINA
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to Wachovia Bank, National Association, as
Successor by Merger to First Union National Bank..... Respondent,**

v.

**Penny Creek Associates, L.L.C. a/k/a Penny Creek
Associates, LLC; The Grove at Fenwick Plantation,
LLC; Michel F. LaPlante a/k/a Michel Laplante a/k/a
Mitch Laplante; Charlotte R. Zurlo; Eugene J. Zurlo;
Charlotte R. Zurlo and Eugene J. Zurlo, as Co-Trustees
of The Nicklaus Lane Realty Trust No. 1 under
Declaration of Trust dated May 22, 1998; Fenwick Hall
Plantation Property Owners Ass'n., Inc. a/k/a Fenwick
Hall Plantation Property Owners' Association, Inc.;
Preserve at Fenwick Hall Property Owners' Association,
Inc.; and The Grove at Fenwick Plantation
Condominium Association, Inc..... Defendants,**

**Of Whom Penny Creek Associates, L.L.C. a/k/a Penny
Creek Associates, LLC; The Grove at Fenwick
Plantation, LLC; Charlotte R. Zurlo; Eugene J. Zurlo;
Charlotte R. Zurlo and Eugene J. Zurlo, as Co-Trustees
of The Nicklaus Lane Realty Trust No. 1 under
Declaration of Trust dated May 22, 1998; Fenwick Hall
Plantation Property Owners Ass'n., Inc. a/k/a Fenwick
Hall Plantation Property Owners' Association, Inc.;
Preserve at Fenwick Hall Property Owners' Association,
Inc.; and The Grove at Fenwick Plantation
Condominium Association, Inc. are the..... Respondents,**

**Michel F. LaPlante a/k/a Michel Laplante
a/k/a Mitch Laplante.....Appellant,**

v.

**The Eugene J. Zurlo Living Trust, Dated
December 11, 1997 and Paul Zurlo Respondents.**

CERTIFICATE OF SERVICE

I certify that on August 12, 2015 I have served Appellant Michel F. LaPlante a/k/a Michel Laplante a/k/a Mitch Laplante's Motion to Allow Late Filing on the Clerk of the South Carolina Court of Appeals with copies to the following:

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**Fenwick Hall Plantation Property
Owners Assn., Inc. a/k/a Fenwick Hall
Property Owners Association, Inc. a/k/a
The Preserve at Fenwick Hall Property
Owners' Association, Inc. and The
Grove at Fenwick Plantation
Condominium Association, Inc.**

Dated: August 12, 2015


Erin Magera

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August 12, 2015

Jenny Abbot Kitchings
Clerk of Court
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

RECEIVED

AUG 14 2015

SC Court of Appeals

RE: Wells Fargo Bank, N.A. v. Penny Creek Associates, LLC, et al.
Case No.: 2014-CP-10-4946
Our File No.: 6338-3

Dear Ms. Kitchings:

Enclosed please find an original and six copies of Appellant Michel F. LaPlante a/k/a Michel Laplante a/k/a Mitch Laplante's Return to Respondent Wells Fargo Bank, N.A.'s Motion to Dismiss regarding the above-captioned matter. Also enclosed please find an original and six copies of the Motion to Allow Late Filing and a check for \$25.00, representing the required filing fee.

Should you have any questions or require further information, please do not hesitate to contact me.

With kind personal regards I remain

Sincerely yours,

SEIBELS LAW FIRM, P.A.



Erin Magera
Paralegal

/elm

cc: All Counsel of Record (via US Mail) (w/ encl)